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BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			BELANI, KISHIN G	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/665,501	SUGIMOTO ET AL.	
	Examiner Kishin G. Belani	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 May 2007.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-9 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-9 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

This action is in response to Applicant's amendment filed on 5/22/2007. **Claims 1-5 and 7** were amended to correct minor informalities. **Claims 1 and 3** were amended by including additional limitations. A **new claim 9** was added. **Claims 1-9** are now pending in the present application. The applicant's amendments to claims are shown in ***bold and italics*** in this office action and the examiner's response is shown in **bold**.

**This Action is made FINAL.**

### ***Specification***

The disclosure is objected to because of the following informalities:

- In abstract, on lines 6-7, change “send information” to – sent information – .  
Make corresponding changes throughout the disclosure.
- In abstract, on lines 8-9, change “every cellular phone as the destination of the e-mail” to – for the destination cell phone – . Make similar changes throughout the disclosure.
- In paragraph 0008, line 3, change “a receiver” to – the receiver –
- In paragraph 0009, lines 3-4, change “user of the mobile terminal” to – the user of a mobile terminal –
- In paragraph 0012, lines 4-5, change “an event that the e-mail is sent, to the second mobile terminal” to – the second mobile terminal that the e-mail has been sent – . Make similar changes throughout the disclosure.

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- In paragraph 0013, line 7, change “who has a large mount of reception of the e-mail” to – who receives a large number of e-mails –. Make similar changes throughout the disclosure.
- In paragraph 0015, lines 6-7, change “to the user who has a large mount of reception of the e-mail” to – for the users who receive a large number of e-mails –. Make similar changes throughout the disclosure.
- In paragraph 0016, line 8, change “e-mail that that” to – e-mail that –. Make similar changes throughout the disclosure.
- In paragraph 0019, line 3, change “storing location” to – stored location –.
- In paragraph 0027, lines 2-3, change “such a rate system is employed that the expense is generated” to – a rate system is employed that generates the expense –.
- In paragraph 0028, line 12, change “answer to HTTP” to – response to HTTP –.
- In paragraph 0029, lines 2-3, change “by the cable’ to – by cable –, and “by the radio” to – by radio –.
- In paragraph 0031, line 7, change “and a database that is provided on the” to – or a database that is provided –.
- In paragraph 0034, line 2, change “101 are stored” to – 101 is stored –.
- In paragraph 0034, lines 4-10, change “if in the past, the e-mail was sent out ten times to a certain cellular phone “A” and an amount of data of the e-mail sent out ten times is 1 mega byte in total, numerical values such that the number of reception of the e-mail is ten times and an amount of received data is 1 mega

byte in total are recorded in the send information database 107 with respect to" to – if in the past, e-mail was sent out ten times to a certain cellular phone "A" and the amount of data in the ten e-mails totals 1 mega byte, the number of e-mails and the total amount of received data (1 mega byte) are recorded in the sent information database 107 for –.

- In paragraph 0035, line 11, change "number of reception" to – number of receptions –.
- In paragraph 0036, line 1, change "that indicate" to – that indicates –.
- In paragraph 0037, line 4, change "are prepared as " to – is in the form of –.
- In paragraph 0037, lines 6-7, change "not the information indicating the contents of the prize but" to – then –.
- In paragraph 0048, lines 3-4, change "won user" to – user who won --.
- In paragraph 0061, line 3, change "an amount" to – the amount --.
- In paragraph 0061, line 4, delete "is the information that ".

Appropriate correction is required.

The title of the invention **suggests two separate and distinct functions**. A more appropriate title (e.g. "**Email Processing Server Awarding Lottery Tickets**") is required that is clearly indicative of the invention to which the claims are directed.

#### ***Claim Objections***

Claims 1-5 are objected to because of the following informalities:

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- In claim 1, line 3, change “prize to user” to – prize to a user –.
- In claim 1 and in other claims that contain “send information”, change to – sent information –.
- In claim 1 and in other claims that contain “every mobile terminal as destination of the e-mail”, change it to – to the destination mobile terminal of the e-mail –.
- In claim 2, line 3 and in other claims, change “involves” to – include –.
- In claim 2, lines 7-8 and in other claims, change “an event that the e-mail is sent to the second mobile terminal” to – the second mobile terminal that the e-mail has arrived --.
- In claim 2, line 11, change “send an” to – send the --.
- In claim 3, line 2; change “a user” to – the user --.
- In claim 3, lines 14-15; change “satisfy predetermined” to – satisfy a predetermined --.
- In claim 4, lines 11-12; change “send an e-mail that that” to – send the e-mail that --.
- In claim 4, line 13; change “sending an e-mail” to – sending the e-mail --.
- In claim 5, lines 3-6 and in other claims with similar text; change “location information showing storing location on a network, where contents of a prize awarded to a user who won the lot-drawing are stored, from a database” to – location information from a database, showing storing location on a network, where the contents of a prize awarded to a user who won the lot-drawing are stored, --.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaura (U.S. Patent Application Publication # 2002/0016199 A1) in view of Bansal et al. (U.S. Patent Publication # 6,016,338), and further in view of Von Kohorn (U.S. Patent Publication # 5,697,844).**

Consider **claim 1**, Yamaura shows and discloses an e-mail processing server for relaying an e-mail which is transmitted between mobile terminals and performing a lottery to award a prize to a user of the mobile terminal (Abstract; Fig. 1, block 10 marked server; Fig. 5 that shows the process of performing a lottery; paragraph 0008, that discloses an e-mail server providing a mail sending/receiving service to devices such as mobile phones, that also writes in a lottery number and an address of a homepage at the end of the e-mail to award prizes to the e-mail recipients), comprising: **a receiver** for receiving an e-mail from a first mobile terminal and **a sender for** sending the e-mail to a second mobile terminal (Abstract; Fig. 1, block 13 for sending e-mail to the second user; Fig. 2, blocks S2A01, S2A02, S2A03 for receiving e-mail from the first user; paragraph 0008, lines 1-6, that disclose a sending/receiving service for providing e-mail service; paragraph 0029, lines 1-8 that describe the process of creating an e-mail by the first user; paragraph 0031, lines 5-7 which disclose that after attaching a lottery number to the outgoing e-mail, the e-mail is sent to the second user via SMTP server);

and *lot-drawer* for executing a lot-drawing *from* the winning probability decided by the winning probability *decider* (paragraph 0033, lines 1-5, which disclose that the winning numbers are determined at random from lottery numbers of mail sent within a pre-determined period of time).

However, Yamaura, does not explicitly disclose **a storage** for storing sent information of the e-mail, which is sent from the *receiver or sender, the sent information including the number of received e-mails and total amount of received data by said first and second mobile terminals*; and a winning probability *decider* for deciding a winning probability of a drawing of lots applied to a user of the second mobile terminal according to the sent information stored in the **storage**.

In the same field of endeavor, Bansal et al. disclose **a storage** for storing sent information of the e-mail, which is sent from the *receiver or sender, the sent information including the number of received e-mails and total amount of received data by said first and second mobile terminals* (Fig. 2, Memory block 43 that is used to store the sent information (such as number of calls made during a period of time, total amount of call time used, etc.) of calls that are eligible for a lottery; column 5, lines 20-27 that disclose the same details; column 1, lines 64-67 and column 2, lines 1-8 that disclose a lottery system for promoting call volume by awarding prizes based on the number of calls made and the total time spent on calls).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to provide a storage for storing sent information of the

e-mail, which is sent from the receiver or sender, the sent information including the number of received e-mails and total amount of received data by said first and second mobile terminals, as taught by Bansal et al., in the server of Yamaura, so as to generate maximum traffic for the services provided, thereby enhancing the revenue inflow for the company.

However, Yamaura, as modified by Bansal et al., does not explicitly disclose a winning probability **decider** for deciding a winning probability of a drawing of lots applied to a user of the second mobile terminal according to the sent information stored in the **storage**.

In the same field of endeavor, Von Kohorn discloses a winning probability **decider** for deciding a winning probability of a drawing of lots applied to a user of the second mobile terminal according to the sent information stored in the **storage** (column 121, lines 4-38 that while all entered responses in the described contest have a chance of winning a sweepstakes prize, entered responses with superior scores are weighted so as to increase the probability of winning).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to disclose a winning probability **decider** for deciding a winning probability of a drawing of lots applied to a user of the second mobile terminal according to the sent information stored in the **storage**, as taught by Von Kohorn, in the server of Yamaura, as modified by Bansal et al., so that the customers that either receive more e-mails or have larger volume of e-mail content, have better chance of

winning the lottery, and therefore, be tempted to continue generating higher email traffic, thereby enhancing the revenue generation for the company.

**Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Yamaura (U.S. Patent Application Publication # 2002/0016199 A1)** in view of **Bansal et al. (U.S. Patent Publication # 6,016,338)**, and further in view of **Von Kohorn (U.S. Patent Publication # 5,697,844)**, and further in view of **Noh et al. (U.S. Patent Application Publication # 2001/0051896 A1)**.

Consider **claim 2**, and **as applied to claim 1 above**, Yamaura as modified by Bansal et al. and Von Kohorn, shows and discloses the claimed invention except that notice information **sender** for sending notice information, which informs the second mobile terminal that an e-mail has been sent to the recipient; **and** request-to-send information **receiver** for receiving request-to-send information, which is sent from the second mobile terminal, for requesting to send an e-mail that the notice information shows; **wherein said sender sends the** e-mail to the second mobile terminal in response to the request-to-send information received by the request-to-send information receiving means.

In the same field of endeavor, Noh et al. show and disclose a notice information sending means for sending notice information, which informs the second mobile terminal that an e-mail has been sent to the recipient (Fig. 3F, that shows received mail tray 660 in Outlook Express Window and block 650 which is the notice from the SMTP

server to the recipient of the e-mail; paragraph 0086 which indicates the presence of a notice information sending means at the sending server that sent the e-mail notices to the recipient).

Noh et al. also show and disclose a request-to-send information receiver for receiving request-to-send information, which is sent from the second mobile terminal, for requesting to send an e-mail that the notice information shows (Fig. 3G that shows block 651 representing notice from the server, the block containing "acceptance" button 652 as well as "cancle" button; either of which when clicked, requests the sending server to send an e-mail that the notice information shows; which indicates the presence of a request-to-send information receiving means at the sending server).

In addition, Noh et al. also show and disclose that said sender sends the e-mail to the second mobile terminal in response to the request-to-send information received by the request-to-send information receiving means (Fig. 3H that shows an advertisement window 651 sent by the server along with the e-mail to the second mobile terminal recipient in response to the recipient clicking on either the "acceptance" button 652 or the "cancle" button in Fig. 3G; which indicates the presence of a sending means for sending an e-mail to the second mobile terminal).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the concept taught by Noh in the server of Yamaura, as modified by Bansal et al. and Von Kohorn, to provide additional means of communications for the second mobile terminal user by giving the user options to either

accept the gift and the email or reject the gift and only receive the email by clicking on the appropriate buttons.

**Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaura (U.S. Patent Application Publication # 2002/0016199 A1) in view of Bansal et al. (U.S. Patent Publication # 6,016,338).**

Consider claim 3, Yamaura clearly shows and discloses an e-mail processing server for relaying an e-mail which is transmitted between mobile terminals and performing a lottery to award a prize to users of the mobile terminals (Abstract; Fig. 1, block 10 marked server; Fig. 5 that shows the process of performing a lottery; paragraph 0008, that discloses an e-mail server providing a mail sending/receiving service to devices such as mobile phones, that also writes in a lottery number and an address of a homepage at the end of the e-mail to award prizes to the e-mail recipients), comprising:

sending/receiving means for receiving an e-mail from a first mobile terminal and sending the e-mail to a second mobile terminal (Abstract; Fig. 1, block 13 for sending e-mail to the second user; Fig. 2, blocks S2A01, S2A02, S2A03 for receiving e-mail from the first user; paragraph 0008, lines 1-6, that disclose a sending/receiving service for providing e-mail service; paragraph 0029, lines 1-8 that describe the process of creating an e-mail by the first user; paragraph 0031, lines 5-7 which disclose that after attaching a lottery number to the outgoing e-mail, the e-mail is sent to the second user via SMTP server);

and lot-drawing means for executing a lot-drawing applied to a user of the second mobile terminal when the sent information stored in the storing means satisfy a predetermined condition (paragraph 0033, lines 1-5, which disclose that the winning numbers are determined at random from lottery numbers of mail sent within a pre-determined period of time).

However, Yamaura, does not specifically disclose storing means for storing sent information of the e-mail, which is sent by the sending/receiving means, ***the sent information including the number of received e-mails and total amount of received data by said first and second mobile terminals.***

In the same field of endeavor, Bansal et al., disclose storing means for storing sent information of the e-mail, which is sent by the sending/receiving means, ***the sent information including the number of received e-mails and total amount of received data by said first and second mobile terminals*** (Fig. 2, Memory block 43 that is used to store the sent information (such as number of calls made during a period of time, total amount of call time used, etc.) of calls that are eligible for a lottery; column 5, lines 20-27 that disclose the same details; column 1, lines 64-67 and column 2, lines 1-8 that disclose a lottery system for promoting call volume by awarding prizes based on the number of calls made and the total time spent on calls).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to provide storing means for storing sent information of the e-mail, which is sent by the sending/receiving means, the sent information

including the number of received e-mails and total amount of received data by said first and second mobile terminals, as taught by Bansal et al., in the server of Yamaura, so as to generate maximum traffic for the services provided, by awarding prizes to their most valuable customers, thereby enhancing the revenue inflow for the company.

Consider claim 9, Yamaura clearly shows and discloses **a system that monitors emails sent and received by mobile terminals for use in a lottery** (Abstract; Fig. 1, block 10 marked server that monitors emails sent and received by mobile terminals for use in a lottery; Fig. 5 that shows the process of performing a lottery; paragraph 0008, that discloses an e-mail server providing a mail sending/receiving service to devices such as mobile phones, that also writes in a lottery number and an address of a homepage at the end of the e-mail to award prizes to the e-mail recipients), **comprising:**

**At least a first and a second mobile terminals** (Fig. 1 that shows four different personal computers connected by the Internet; paragraph 0022 which discloses that mobile phones such as cellular phones may also be used as the terminal devices); **and**

**A server which relays the emails sent from one of said first or second mobile terminals to the other** (Fig. 1, block 10 marked server which relays the emails (in block 13) sent from one of said first or second mobile terminals to the other); wherein the server determines a winner of a prize using at least part of the mobile terminal information (paragraph 0033, lines 1-5, which disclose that the winning

**numbers are determined at random from lottery numbers (User Registration file being searched for mail addresses corresponding to the winning lottery number) of mail sent within a pre-determined period of time).**

However, Yamaura, does not specifically disclose ***the server storing mobile terminal information which includes the number of emails received by each of the at least the first and second mobile terminals and also the total amount of data received by each of the at least first and second mobile terminals.***

In the same field of endeavor, Bansal et al. disclose ***a controller storing mobile terminal information which includes the number of calls received by each of the at least the first and second mobile terminals and also the total amount of call time used by each of the at least first and second mobile terminals (Fig. 2, Memory block 43 that is used to store the sent information (such as number of calls made during a period of time, total amount of call time used, etc.) of calls that are eligible for a lottery; column 5, lines 20-27 that disclose the same details; column 1, lines 64-67 and column 2, lines 1-8 that disclose a lottery system for promoting call volume by awarding prizes based on the number of calls made and the total time spent on calls).***

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to provide a system for storing mobile terminal information which includes the number of emails received by each of the at least the first and second mobile terminals and also the total amount of data received by each of the at least first and second mobile terminals, as taught by Bansal et al., in the system

of Yamaura, so as to generate maximum traffic for the services provided, thereby enhancing the revenue inflow for the company.

**Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Yamaura (U.S. Patent Application Publication # 2002/0016199 A1)**, in view of **Bansal et al. (U.S. Patent Publication # 6,016,338)**, and further in view of **Noh et al. (U.S. Patent Application Publication # 2001/0051896 A1)**.

Consider **claim 4**, and as applied to **claim 3 above**, Yamaura shows and discloses that the sending/receiving means includes: receiving means for receiving the e-mail from the first mobile terminal (Fig. 2, blocks S2A01, S2A02, S2A03 for receiving e-mail from the first user; paragraph 0008, lines 1-6, that disclose a sending/receiving service for providing e-mail service to mobile phones over a network; paragraph 0029, lines 1-8 that describe the process of creating an e-mail by the first user);

However, Yamaura does not explicitly disclose notice information sending means for sending notice information, which informs the second mobile terminal that an e-mail has been sent to the recipient; request-to-send information receiving means for receiving request-to-send information, which is sent from the second mobile terminal, for requesting to send an e-mail that the notice information shows; and sending means for sending the e-mail to the second mobile terminal in response to the request-to-send information received by the request-to-send information receiving means.

In the same field of endeavor, Noh et al. show and disclose a notice information sending means for sending notice information, which informs the second mobile terminal that an e-mail has been sent to the recipient (Fig. 3F, that shows received mail tray 660 in Outlook Express Window and block 650 which is the notice from the SMTP server to the recipient of the e-mail; paragraph 0086 which indicates the presence of a notice information sending means at the sending server that sent the e-mail notices to the recipient).

Noh et al. also show and disclose a request-to-send information receiving means for receiving request-to-send information, which is sent from the second mobile terminal, for requesting to send an e-mail that the notice information shows (Fig. 3G that shows block 651 representing notice from the server, the block containing “acceptance” button 652 as well as “cancle” button; either of which when clicked, requests the sending server to send an e-mail that the notice information shows; which indicates the presence of a request-to-send information receiving means at the sending server).

In addition, Noh et al. also show and disclose a sending means for sending the e-mail to the second mobile terminal in response to the request-to-send information received by the request-to-send information receiving means (Fig. 3H that shows an advertisement window 651 sent by the server along with the e-mail to the second mobile terminal recipient in response to the recipient clicking on either the “acceptance” button 652 or the “cancle” button in Fig. 3G; which indicates the presence of a sending means for sending an e-mail to the second mobile terminal).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the concept taught by Noh in the server of Yamaura, as modified by Bansal et al., to provide additional means of communications for the second mobile terminal user by giving the user options to either accept the gift and the email or reject the gift and only receive the email by clicking on the appropriate buttons.

**Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Yamaura (U.S. Patent Application Publication # 2002/0016199 A1)**, in view of **Bansal et al. (U.S. Patent Publication # 6,016,338)**, and further in view of **Von Kohorn (U.S. Patent Publication # 5,697,844)**, and further in view of **Acres (U.S. Patent Application Publication # 2002/0061778 A1)**.

Consider **claim 5, and as applied to claim 1 above**, Yamaura as modified by Bansal et al. and Von Kohorn, shows and discloses an e-mail processing server. Yamaura also discloses sending e-mail to the second mobile terminal with a URL link to the web site that stores a prize information database (Fig. 8, block 35; paragraph 0048, which discloses that the e-mail includes prize information and homepage address in the form of a URL link).

Yamaura, as modified by Bansal et al. and Von Kohorn, however does not explicitly disclose that the e-mail processing server further comprises acquiring **device** for acquiring, **from a database**, storing location information showing a location on a

network, where contents of a prize awarded to a user who won the lot-drawing are stored.

Yamaura, as modified by Bansal et al. and Von Kohorn, also fails to disclose that the e-mail processing server in addition comprises storing location information **sender** for attaching the storing location information acquired by the acquiring **device** to an e-mail, which is to be sent to a mobile terminal of the user who won the lot-drawing, and then sending the e-mail to the mobile terminal.

In the same field of endeavor, Acres shows and discloses an acquiring device for acquiring, from a database, storing location information showing a location on a network, where contents of a prize awarded to a user who won the lot-drawing are stored (Fig. 10, blocks 1020, 1025, and 1027; paragraph 0033, lines 23-28, which disclose an acquiring means (game program database 1025 in the game/redemption server 1020) and a reward redemption database 1027 that the game program 1025 searches for the prize won by the user; Fig. 9, block 909; paragraph 0032, lines 18-20, which describe that the redemption routine displays a reward web page in order to facilitate selection and delivery of the reward, thereby disclosing an acquiring means that provides the location of awarded prizes); and

storing location information **sender** for attaching the storing location information acquired by the acquiring device to an e-mail, which is to be sent to a mobile terminal of the user who won the lot-drawing, and then sending the e-mail to the mobile terminal (Fig. 8, block 815; paragraph 0031, lines 28-29, which disclose that the game program displays a link to a redemption web site).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the concept taught by Acres, in the server of Yamaura as modified by Bansal et al. and Von Kohorn, to provide means of searching the prize information database for the purpose of supplying the URL address of the prize information database in an email to the recipient so as to help the winner recipient quickly claim his or her prize.

**Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Yamaura (U.S. Patent Application Publication # 2002/0016199 A1)**, in view of **Bansal et al. (U.S. Patent Publication # 6,016,338)**, and further in view of **Acres (U.S. Patent Application Publication # 2002/0061778 A1)**.

Consider **claim 6**, and as applied to **claim 3 above**, Yamaura clearly shows and discloses an e-mail processing server. Yamaura also discloses sending an e-mail to the second mobile terminal with a URL link to the web site that stores a prize information database (Fig. 8, block 35; paragraph 0048, which discloses that the e-mail includes prize information and homepage address in the form of a URL link).

However, Yamaura does not explicitly disclose that the e-mail processing server further comprises acquiring means for acquiring storing location information showing storing location on a network, where contents of a prize awarded to a user who won the lot-drawing are stored, from a database.

Yamaura also fails to disclose that the e-mail processing server in addition comprises storing location information sending means for attaching the storing location information acquired by the acquiring means to an e-mail, which is to be sent to a mobile terminal of the user who won the lot-drawing, and then sending the e-mail to the mobile terminal.

In the same field of endeavor, Acres shows and discloses an acquiring means for acquiring storing location information showing storing location on a network, where contents of a prize awarded to a user who won the lot-drawing are stored, from a database (Fig. 10, blocks 1020, 1025, and 1027; paragraph 0033, lines 23-28, which disclose an acquiring means (game program database 1025 in the game/redemption server 1020) and a reward redemption database 1027 that the game program 1025 searches for the prize won by the user; Fig. 9, block 909; paragraph 0032, lines 18-20, which describe that the redemption routine displays a reward web page in order to facilitate selection and delivery of the reward, thereby disclosing an acquiring means that provides the location of awarded prizes); and storing location information sending means for attaching the storing location information acquired by the acquiring means to an e-mail, which is to be sent to a mobile terminal of the user who won the lot-drawing, and then sending the e-mail to the mobile terminal (Fig. 8, block 815; paragraph 0031, lines 28-29, which disclose that the game program displays a link to a redemption web site).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the concept taught by Acres in the server of

Yamaura, as modified by Bansal et al., to provide means of searching the prize information database for the purpose of supplying the URL address of the prize information database in an email to the recipient so as to help the winner recipient quickly claim his or her prize.

**Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaura (U.S. Patent Application Publication # 2002/0016199 A1), in view of Bansal et al. (U.S. Patent Publication # 6,016,338), and further in view of Von Kohorn (U.S. Patent Publication # 5,697,844), and further in view of Acres (U.S. Patent Application Publication # 2002/0061778 A1), and further in view of Landress et al. (U.S. Patent Application Publication # 2003/0191816 A1).**

Consider **claim 7**, and as applied to **claim 1 above**, Yamaura, as modified by Bansal et al. and Von Kohorn, show and disclose an e-mail processing server. Yamaura also discloses sending e-mail to the second mobile terminal with a URL link to the web site that stores a prize information database (Fig. 8, block 35; paragraph 0048, which discloses that the e-mail includes prize information and homepage address in the form of a URL link).

However, Yamaura, as modified by Bansal et al. and Von Kohorn, fails to disclose that the e-mail processing server further comprises acquiring **device** for acquiring, from a **database**, storing location information showing a location on a network, where the digital contents are stored.

Yamaura, as modified by Bansal et al. and Von Kohorn, also fails to disclose that the e-mail processing server in addition comprises storing location information **sender** for attaching the storing location information acquired by the acquiring device to an e-mail, which is to be sent to a mobile terminal of the user who won the lot-drawing, and then sending the e-mail to the mobile terminal.

In the same field of endeavor, Acres clearly shows and discloses an acquiring means for acquiring storing location information showing storing location on a network, where contents of a prize awarded to a user who won the lot-drawing are stored, from a database (Fig. 10, blocks 1020, 1025, and 1027; paragraph 0033, lines 23-28, which disclose an acquiring means (game program database 1025 in the game/redemption server 1020) and a reward redemption database 1027 that the game program 1025 searches for the prize won by the user; Fig. 9, block 909; paragraph 0032, lines 18-20, which describe that the redemption routine displays a reward web page in order to facilitate selection and delivery of the reward, thereby disclosing an acquiring means that provides the location of awarded prizes); and storing location information sending means for attaching the storing location information acquired by the acquiring means to an e-mail, which is to be sent to a mobile terminal of the user who won the lot-drawing, and then sending the e-mail to the mobile terminal (Fig. 8, block 815; paragraph 0031, lines 28-29, which disclose that the game program displays a link to a redemption web site).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the concept taught by Acres in the server of

Yamaura, as modified by Bansal et al. and Von Kohorn, to provide means of searching the prize information database for the purpose of supplying the URL address of the prize information database in an email to the recipient so as to help the winner recipient quickly claim his or her prize.

However, Yamaura, as modified by Bansal et al. and Von Kohorn and further modified by Acres, fails to disclose that the prize involves digital contents that are enabled to play with the mobile terminal.

In the same field of endeavor, Landress et al., disclose a system for delivering customized multimedia communications (Abstract that disclose communicating personalized entertainment such as screensavers, reminder services, etc. integrally associated with sponsorship or advertisement information via the Internet or e-mail; paragraph 0004 that also specifies wireless networks used by cell phone users as delivery channels for the media delivery; paragraph 0016 additionally lists promotional "jingles" equivalent to cell phone ring tones and other audio segments (paragraph 0061, lines 1-5) as additional multimedia items to be delivered; paragraph 0060 that discloses an e-mail server 28a included in the web server 28 that allows users to send/receive e-mails; paragraph 0146, lines 8-11 that disclose the use of cellular phones in the system)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide prizes, such as screensavers and cell phone ring tones, as taught by Landress et al. in the system of Yamaura, as modified by Bansal et al., Von Kohorn, and Acres, to provide instant enjoyment of the prize that the recipient can play on a mobile terminal.

**Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Yamaura** (U.S. Patent Application Publication # 2002/0016199 A1), in view of **Bansal et al.** (U.S. Patent Publication # 6,016,338), and further in view of **Acres** (U.S. Patent Application Publication # 2002/0061778 A1), and further in view of **Landress et al.** (U.S. Patent Application Publication # 2003/0191816 A1).

Consider **claim 8**, and as applied to **claim 3 above**, Yamaura, as modified by Bansal et al., shows and discloses an e-mail processing server. Yamaura, as modified by Bansal et al., also discloses sending e-mail to the second mobile terminal with a URL link to the web site that stores a prize information database (Fig. 8, block 35; paragraph 0048, which discloses that the e-mail includes prize information and homepage address in the form of a URL link).

However, Yamaura, as modified by Bansal et al., does not explicitly disclose that the e-mail processing server further comprises acquiring means for acquiring storing location information showing storing location on a network, where the digital contents are stored, from a database.

Yamaura, as modified by Bansal et al., also fails to disclose that the e-mail processing server in addition comprises storing location information sending means for attaching the storing location information acquired by the acquiring means to an e-mail, which is to be sent to a mobile terminal of the user who won the lot-drawing, and then sending the e-mail to the mobile terminal.

In the same field of endeavor, Acres shows and discloses an acquiring means for acquiring storing location information showing storing location on a network, where contents of a prize awarded to a user who won the lot-drawing are stored, from a database (Fig. 10, blocks 1020, 1025, and 1027; paragraph 0033, lines 23-28, which disclose an acquiring means (game program database 1025 in the game/redemption server 1020) and a reward redemption database 1027 that the game program 1025 searches for the prize won by the user; Fig. 9, block 909; paragraph 0032, lines 18-20, which describe that the redemption routine displays a reward web page in order to facilitate selection and delivery of the reward, thereby disclosing an acquiring means that provides the location of awarded prizes); and

storing location information sending means for attaching the storing location information acquired by the acquiring means to an e-mail, which is to be sent to a mobile terminal of the user who won the lot-drawing, and then sending the e-mail to the mobile terminal (Fig. 8, block 815; paragraph 0031, lines 28-29, which disclose that the game program displays a link to a redemption web site).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the concept taught by Acres in the server of Yamaura, as modified by Bansal et al., to provide means of searching the prize information database for the purpose of supplying the URL address of the prize information database in an email to the recipient so as to help the winning recipient quickly claim his or her prize.

However, Yamaura as modified by Bansal et al. and Acres, fail to disclose that the prize involves digital contents that are enabled to play with the mobile terminal.

In the same field of endeavor, Landress et al. disclose a system for delivering customized multimedia communications (Abstract that disclose communicating personalized entertainment such as screensavers, reminder services, etc. integrally associated with sponsorship or advertisement information via the Internet or e-mail; paragraph 0004 that also specifies wireless networks used by cell phone users as delivery channels for the media delivery; paragraph 0016 additionally lists promotional "jingles" equivalent to cell phone ring tones and other audio segments (paragraph 0061, lines 1-5) as additional multimedia items to be delivered; paragraph 0060 that discloses an e-mail server 28a included in the web server 28 that allows users to send/receive e-mails; paragraph 0146, lines 8-11 that disclose the use of cellular phones in the system).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide prizes, such as screensavers and cell phone ring tones, as taught by Landress et al. in the server of Yamaura, as modified by Bansal et al. and Acres, in order to provide instant enjoyment of the prize that the winning recipient can play on the mobile terminal.

***Response to Arguments***

Applicant's arguments filed 05/22/2007 with respect to **claims 1, 3, and 9** and their dependent claims have been fully considered but are moot in view of the new ground(s) of rejection.

**Therefore, the rejections of the independent claims 1, 3, and 9, as well as their (amended as well as original) dependent claims 2 and 4-8 are maintained.**

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2143

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Art Unit: 2143

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kishin G. Belani whose telephone number is (571) 270-1768. The Examiner can normally be reached on Monday-Thursday from 6:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-0800.

*Kishin G. Belani*  
K.G.B./kgb

June 30, 2007



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